

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DTC HEALTH, INC., §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. H-06-1364
§
GLOBAL HEALING CENTER, INC., et §
al., §
§
Defendants. §

MEMORANDUM AND ORDER

This Court's Order of July 17, 2006, held that the arbitral tribunal convened by the American Arbitration Association ("AAA") does not have jurisdiction over Plaintiff DTC Health, Inc. ("DTC"). First, DTC was not a signatory to the arbitration agreement between Defendant Global Healing Center, Inc. and Virante, Inc. ("Virante"/Ryan Allis ("Allis"), and second, there was no evidence of a connection between DTC and Virante/Allis sufficient to support jurisdiction under an agency, alter ego, or equitable estoppel theory.

Global Healing Center has since voluntarily dismissed without prejudice its claims against DTC pending before the AAA, but has not given up the hope that it will discover evidence connecting DTC and Virante/Allis. Should DTC in fact obtain such evidence, it is **ENJOINED** from proceeding to an arbitral tribunal without first bringing the evidence before this Court for a determination of arbitrability.

Furthermore, because there are no additional live claims in this case, it is hereby **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

SIGNED this 29th day of November, 2006.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS ORDER SHALL
FORWARD A COPY OF IT TO EVERY OTHER PARTY AND AFFEC TED NON-PARTY
EVEN THOUGH THEY MAY HAVE BEEN SENT ONE BY THE COURT**